S.B.CRIMINAL MISC. BAIL APPLICATION NO.2575/2006

Date : 05.07.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Vijay Purohit for the applicants.
Mr. Vishnu Kachhawha, Public Prosecutor for State.
Mr. M.K. Garg for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel is that infact the complainant and the applicants are living separately and marriage between the parties had taken place 10 years back and whatsoever allegations are made in the compliant are yet to be confirmed. Learned counsel placed on record "Ikrarnama" wherein it is stated that some part of the property has been given to the complainant. He further submits that applicant No.2 Smt. Kamla is an old lady, therefore, she may be granted anticipatory bail, however, he does not press the bail application of applicant No.1 Sharvan Ram, who is father-in-law.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and perused the material available on record.

Without expressing any opinion on the merit of the case, however taking into consideration the overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to applicant No.2 Smt. Kamla. Accordingly, it is directed that in the event of arrest of applicant Smt. Kamla Devi wife of Sharvan Ram by I.O./S.H.O. in FIR No.54/2006 P.S. Mahila Police Thana, District Bikaner, she shall be released on bail provided she furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i) That she shall make herself available for interrogation by a police officer as and when required;

(ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii) That she shall not leave India without the previous permission of the Court.

The bail application moved on behalf of applicant No.1 Sharvan Ram stands dismissed as not pressed.

(SATYA PRAKASH PATHAK), J.